

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 20 June 2018 at 1.00 pm in The Executive Meeting Room - Third Floor, The Guildhall

These minutes should be read in conjunction with the agenda and associated papers for the meeting.

Present

Councillors Hugh Mason (Chair)
Judith Smyth (Vice-Chair)
Ken Ellcome
Suzy Horton
Donna Jones
Lynne Stagg
Luke Stubbs
Claire Udy
Tom Wood (standing deputy)

Also in attendance

Councillors Gerald Vernon-Jackson and Darren Sanders.

Welcome

The chair welcomed members of the public and members to the meeting.

Guildhall, Fire Procedure

The Chair explained to all present at the meeting the fire procedures including where to assemble and how to evacuate the building in case of a fire.

72. Apologies (AI 1)

Apologies for absence had been received from Councillor Steve Pitt (who was represented by Standing Deputy Councillor Tom Wood) Councillors Jones and Udy apologised that they would need to leave the meeting at 3:30pm.

73. Declaration of Members' Interests (AI 2)

Councillor Suzy Horton declared a prejudicial interest in the application for Ravelin Park as she is employed by the University of Portsmouth. She would be leaving the room and not participate in the discussion of this item.

Councillor Claire Udy declared a personal interest in the application for Ravelin Park as a student at the University of Portsmouth.

74. Minutes of the previous meeting held on 30 May 2018 (AI 3)

RESOLVED that the minutes of the Planning Committee held on 30 May 2018 be agreed as a correct record and signed by the Chair.

75. Hampshire Fire and Rescue Authority Position Statement for Planning and Legislation (AI 4)

The Assistant Director of City Development referred to the letter attached to the agenda. She advised that she was in discussion with Hampshire Fire and Rescue Authority to ensure that they can provide adequate resources for any consultations received from the council, so that it does not delay the planning process due to a lack of response.

76. Updates on previous planning applications by the Assistant Director of City Development (AI 5)

There were no updates given.

Planning Applications

Deputations are not minuted in full as these are recorded as part of the web-cast of this meeting which can be viewed here:

<https://livestream.com/accounts/14063785/Planning-20Jun2018/videos/176574766>

77. 17/01097/FUL - 170 Milton Road Portsmouth PO4 8PN (AI 6)

The Planning Officer introduced the report and reported in the supplementary matters list that The Council's Arboricultural Officer has commented that the existing trees onsite are not considered to be of significant amenity value, appearing to be largely self-seeded, unmanaged specimens of Sycamore growing in a strip of untended land and some conifer. There are no arboricultural objections to the proposed removals.

The following deputations were heard:

- (a) Ms Kimberley Barrett (objecting to the application on behalf of Keep Milton Green & Milton Neighbourhood Forum)
- (b) Mr Chris Flint (applicant)
- (c) Councillor Gerald Vernon-Jackson (ward councillor)

Members' Questions

In response to questions the following points were clarified:

- The vegetation on site is not protected and could therefore be legally removed without planning consent.
- One tree is to be retained at the back of the site and this was shown on the plan. There is a landscaping condition which requests details of the landscaping scheme for the green areas on the proposed areas on the plan which could include replacement tree planting and it would be for the council to agree this.
- The existing building is two storey and does restrict some light to neighbouring properties. The neighbouring property to the north has windows facing south, west and east. A specific shadow diagram has not been prepared.

- The government policy overrides the council's affordable housing policy.
- Originally the proposal had 9 parking spaces but one was later removed to allow for cars to reverse and egress from the site safely. The proposed condition requires that parking on site must be as per the plans therefore if cars park in this area this would be an enforcement issue.
- The Highways Officer advised that there are specific guidelines around parking surveys. They must be completed overnight on two consecutive evenings between 02:00 to 05:00am and need to consider the number of spaces available within 400m walking distance of the site. They must take pictures of any spaces that they find and submit these. PCC specify the days of the week the surveys must be completed and they must notify the council in advance. The initial parking survey for this application did not meet these criteria. The second survey showed 25 spaces however the Highways Officer ruled out 12 of these for reasons such as they were not big enough or not appropriate car parking spaces. He was therefore confident they were able to demonstrate 13 spaces overnight.
- Condition 8 requires a landscaping scheme to be submitted which would include the species and spacing of trees which will need to be approved by the Council.
- The height of the proposed building is up to 11.5m. The original building is 8.5m.
- Parking spaces allocated to specific flats was not something that could be controlled from a planning point of view. The applicant did confirm that parking was likely to be allocated to specific apartments.

Members' Comments

Members had empathy for the residents and the concerns raised in the deputations. It was noted that if this application was refused based on these points made in the deputations, it would be likely overturned by the planning inspector. Members noted that the loss of the trees was regrettable however this was not grounds for refusal. With regards to parking, members noted that there were some parking spaces provided on the site. The council has a requirement to provide homes across the city. With regards to community amenity members noted that the site is very close to Milton Park.

RESOLVED that that the application be granted subject to the conditions set out in the City Development Manager's report

78. 17/01888/FUL - HM Kingston Prison Milton Road Portsmouth PO3 6AS (AI 8)

The planning officer introduced the report.

The following deputations were heard:

- (a) Mr Richard Winsborough (Agent, City and Country)
- (b) Councillor Darren Sanders (ward councillor)

Members' Questions

In response to questions the following matters were clarified:

- There is no time limit to the use and it will be for low level use. Storage items would include windows, doors and furniture. When the developer undertook storage activity in the past it was an ancillary use to the prison use. The prison use has ceased and the developer has confirmed they will continue the B8 use in this limited area of the site.
- The planning permission for the residential scheme approved in 2016 continues to run with the land. Granting the permission for the storage does not limit the developer to continue with the residential scheme. The Council are working with City and Country to discharge the conditions on the permission. It would also enable other schemes to come forward to provide a good residential scheme.
- Under the Community Infrastructure Levy regulation charging scheme there are certain exemptions. The property when first acquired was being used as a prison so there was a certain CIL liability, but that use ceased three years later. This meant the benefits of CIL charging were removed and the CIL liability increased. The purpose of this application from the applicants point of view is to put them back in a position where there was not use and therefore put their CIL liability into lower charge.

Members' Comments

Members felt that there was no problem with using a small area of the site for storage, although there were some concerns that the applicant would come back and ask for further areas of the site to be used for storage. There were some frustrations that the scheme for the site had not yet come forward as this is a significant site in the city, however it was recognised that it is an awkward site. Members noted that this is a temporary proposal only and the developers are working towards a larger scheme, and felt it was about good faith between the council and the developer that they will not set a precedent to get an alternative commercial usage for this site. Members noted that there were no planning reasons to refuse this application.

RESOLVED that conditional permission be granted subject to the conditions listed in the Assistant Director of City Development's report.

79. 18/00150/FUL - Arundel Court Primary School Northam Street Portsmouth (A17)

The planning officer introduced the report.

The following deputations were heard:

- (a) Mrs Gregory, resident of Chatfield House objecting to the application
- (b) Mrs Ericson, resident of Chatfield House objecting to the application
- (c) Mr Tim Spencer, on behalf of the agent.

Members' Questions

In response to questions the following matters were clarified:

- There is an existing sewer running through the site which restricted where the new building could be built. The design and access statement has explored

alternative options for the siting of the school however locating the school in a different location would result in the loss of more trees and would also have accessibility issues. Other constraints on the site are the MUGA, nursery and the existing access to the site and parking.

- There are currently 36 car parking spaces on site for staff and none of these would be lost with the development. There is a planning condition suggested for the school to submit a travel plan to be agreed by the local planning authority. Considered the school will be able to promote sustainable modes of transport and the school is within walking distance of the train station and bus stops.
- There are currently 126 members of staff. The school have not been implementing a sustainable travel plan which is why this is suggested as a condition to the permission.
- The location of the replacement trees was shown on the plans. The majority of replacement trees would be along the Fyning Street frontage to mitigate for the loss of trees on Holbrook Road. There is a suggested planning condition suggesting tree planting details have to be submitted and approved by the local planning authority which would be done in consultation with the arboricultural officer.
- The MUGA was lottery funded so the use of this space would not be available for temporary accommodation for the construction period. The restriction of the sewer meant there were limited options. This led to the current proposals which will reduce construction time and retain the MUGA, whilst maintaining education provision on the site.
- No suggested conditions had been put forward by the crime design officer.
- The quantity of classroom required for temporary accommodation would not have been possible.
- The number of school places needed to secure temporary accommodation on any other school would impact on their playing fields therefore would impact on their education provision as well. This was not a solution able to be provided for this proposal.

Members' Comments

The committee all sympathised with the concerns of the residents in Chatfield House but could not see a viable alternative for the location of the school. It was noted that the loss of view was not a material planning consideration. It was also noted that there are already parking issues in this area and the sustainable travel plan was a welcome idea as well as increasing cycling provision for staff. The smaller footprint of the building would eventually increase the amount of green space available for pupils to play in. This is a rare opportunity to get a brand new school as well as increasing primary school places in the city.

RESOLVED

- (1) That conditional permission be granted subject to the conditions listed in the Assistant Director of City Development's report.**

(2) That delegated authority be granted to the Assistant Director of Regeneration to add/amend conditions where necessary.

80. 18/00647/FUL - Ravelin Park Museum Road Portsmouth PO1 2QQ (AI 9)

(Councillor Horton left the room for the discussion of this item due to her earlier declared interest).

The planning officer introduced the report and reported from the supplementary matters list that page 93 of the Planning Committee Report has identified there would be a net loss of open space measuring approx. 0.6ha. Further to clarification from the applicant, it has been confirmed that the net loss of open space would be 0.09ha or approx. 935 sq. m.

(Councillor Jones and Udy left the meeting at this point).

Mr Mark Harris, the agent for the application made a deputation.

Members' Questions

In response to questions the following matters were clarified:

- Some of the hedges are very poor quality and the screening effect that they impose on parts of the part precludes it use later in the day as people do not feel safe in that area. It was proposed to remove some of the hedges to open up the park and improve visibility.
- The 'Rotunda' does not have any listed status or designations. The University have indicated that had struggled to find a use for it and it is redundant. It was proposed to have a rounder memory garden to make a connection back to the history of the building.
- An additional 45 places will be created by refurbishing the Melbourne Place car park to account for some of the lost spaces in the Ravelin car park. The university have indicated that they will be reviewing car parking permit provision as part of the university's approach to managing sustainable travel, this includes use the council's park and ride.

Members' Comments

A member commented that they would like to see a contribution from the applicant to upgrading the pedestrian crossing at Hampshire Terrace which they felt causes traffic congestion. In response the Highways engineer said that they had previously looked at upgrading the crossing, however the results of the survey indicated that the crossing does not cause a huge delay and it would not be justified. The Highways Engineer added that if members were minded to approve this application they would suggest an additional condition be added to serve the Rotunder facility via the main access rather than the proposed to minimise the impact on the amount of coach parking available.

The Assistant Director of City Development advised that a planning condition can only require improvements as a direct result of development and cannot make up for an existing deficiency. If the committee are asking to make up for an existing deficiency a condition could not be added by way of a contribution through a Section 106 agreement. If members are identifying a deficiency and cannot collect this

through the planning application process, there is CIL contribution and neighbourhood spend and members may want to consider this.

Members generally thought this was an excellent scheme that will also benefit the wider community and the attempts to minimise the environmental impact on the site were very good. One member was concerned by the loss of 0.9 hectares of open space which is a loss to the city. There were also concerns of the loss of the rounder and hedgerows.

The Assistant Director of City Development said the recommendation was to seek delegated authority to add/amend conditions as necessary and as part of that officers would seek clarification with the applicant regarding the issue of the pedestrian crossing.

RESOLVED

- (1) That conditional permission be granted subject to the conditions outlined in the Assistant Director of City Development's report with an additional condition to agree service vehicle details
Existing s278 condition to cover potential controlled crossing improvements.**
- (2) That delegated authority be granted to the Assistant Director of Regeneration to add/amend conditions where necessary.**

81. Exclusion of the Press and Public (AI 10)

The Chair advised that he intended to keep the meeting in open session for the discussion of this item, however if members had any questions relating to the exempt appendix a resolution would need to be passed to go into exempt session.

82. 17/01807/FUL - Land Adj. to (south of) Catherine House Stanhope Road Portsmouth (AI 11)

(Councillor Horton re-joined the meeting before the start of this item)

The planning officer introduced the report. It was reported from the supplementary matters list that in addition to the planning obligations highlighted within the Planning Committee report, the applicant has agreed as part of a package of measures contained within the Travel Plan aimed at reducing car ownership and promoting sustainable travel choices, to make a contribution towards the setup and initial establishment of a car club scheme within the Station Square locality. This would be provided/work in combination with other residential developments planned or highlighted as potential opportunity sites within the Station Square locality of the City Centre Master Plan SPD.

A deputation was heard from Mr Peter Tisdale, Applicant from THAT Group. Mr Andrew Elliott (Agent) and Mr Adrian Stewart (Architect) were also present to answer any questions.

Members' Questions

In response to a question from members Mr Stewart clarified that both buildings would have sprinklers installed.

Members' Comments

Members were disappointed that none of the 147 dwellings would be affordable however welcomed the investment into the city centre. This scheme would also help to meet the governments housing targets.

Members did not wish to discuss anything within the exempt appendix.

RESOLVED

- (1) That delegated authority be granted to the Assistant Director of Regeneration to grant Conditional Permission subject to first securing the completion of a legal agreement (Pursuant to Section 106 of the Town and Country Planning Act 1990) with principal terms as outlined in the report and such additional/amended items as the Assistant Director of Regeneration considers reasonable and necessary having regard to material considerations at the time the legal agreement is issued;**
- (2) That delegated authority be granted to the Assistant Director of Regeneration to add/amend conditions where necessary;**
- (3) That delegated authority be granted to the Assistant Director of Regeneration to refuse planning permission if the legal agreement, pursuant to Section 106 of the Town and Country Planning Act 1990, has not been completed within three months of the date of the resolution pursuant to Recommendation 1.**

The Chair announced that this was Ruth Ormella's last planning committee before she leaves the council, and wished to place on record his thanks for all her work. This was endorsed by the remaining committee members.

The meeting concluded at 4.15 pm.

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Signed by the Chair of the meeting
Councillor Hugh Mason